

September 12, 2022

VIA ECF

The Honorable Rachel P. Kovner
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Campos v. Kijakazi*, Case No. 21-cv-05143 (RPK)(VMS)

Dear Judge Kovner,

We write on behalf of Plaintiffs and Defendant (collectively, “the Parties”) in the above-referenced action to provide the Court with a joint status report pursuant to Your Honor’s Order dated August 16, 2022.

Since the last report, on August 15, Defendant provided written responses to Plaintiffs’ August 12 questions on August 31, 2022. The Parties held two teleconferences to discuss the responses, on September 7 and September 9, 2022. Defendant’s August 31 letter, and the Parties’ subsequent discussions, confirmed that up until this point, the Parties had different interpretations of a key term used in the Parties’ proposals, the interpretation of which affects which SSI recipients would benefit from the settlement. Fortunately, the parties have now clarified this, and SSA is in the process of considering Plaintiffs’ outstanding proposal, as clarified, and as promptly as reasonably possible.

Defendant expects to provide a substantive response to Plaintiffs by the week of September 26. Further, the Parties have committed to scheduling two teleconferences by October 7. Because the Parties remain optimistic that they may be able to reach an agreement imminently, particularly because of the clarification noted above, we respectfully request that the Court adjourn Plaintiffs’ preliminary injunction motion *sine die* one final time, and to grant the parties an additional 30-day period to explore settlement, with a further status report to be filed on October 12. In the event the Court declines to permit one final extension to see if Parties can resolve this matter without further litigation, the Parties respectfully request the opportunity to advise the Court regarding a proposed schedule for argument or other proceedings in connection with the pending motion.

We are happy to provide additional information to the Court, if helpful. The Parties thank the Court for its ongoing assistance in this matter.

Arnold & Porter

The Honorable Rachel P. Kovner
September 12, 2022
Page 2

Respectfully submitted,

/s/ Carmela T. Romeo

Carmela T. Romeo